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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/675,645	09/30/2003	Julian Mitchell	41319-107327	6074
23644 7590 04/15/2009 BARNES & THORNBURG LLP P.O. BOX 2786 CHICAGO, IL 60690-2786				
EXAMINER WHIPPLE, BRIAN P				
ART UNIT 2452		PAPER NUMBER		
NOTIFICATION DATE 04/15/2009		DELIVERY MODE ELECTRONIC		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

Patent-ch@btlaw.com

### Office Action Summary

**Application No.**

10/675,645

**Applicant(s)**

MITCHELL ET AL.

**Examiner**

BRIAN P. WHIPPLE

**Art Unit**

2452

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 29 December 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 20-27, 29-31, 33-40, 42, 43 and 45-47 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 20-27, 29-31, 33-40, 42, 43 and 45-47 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

#### DETAILED ACTION

1. Claims 20-27, 29-31, 33-40, 42-43, and 45-47 are pending in this application and presented for examination.

#### *Response to Arguments*

2. Applicant's arguments filed 12/29/08 have been fully considered but they are not persuasive.
3. As to claim 20, Applicant argues AAPA does not disclose a VPN gateway having a VPN media proxy "directly interfacing the first data network and the second data network thereby connecting the second data network to the plurality of VPNs via the first data network.

The Examiner respectfully disagrees. Figure 2 of the Applicant's drawings shows VPN gateways (48) directly interfacing the first and second networks, thereby connecting the second data network to the plurality of VPNs via the first data network (also see Pg. 3, ln. 25-27) and the VPN gateway having a VPN media proxy (via connection through the Carrier Data Network to the Media Proxies, 42).

4. Further regarding claim 20, Applicant argues the “equipment does not comprise a VPN gateway and, more importantly, this equipment does not provide a plurality of virtual routing functions.”

The Examiner respectfully disagrees. Figure 2 of the Applicant’s drawings shows the equipment comprising “VPN Interface” for the plurality of virtual routing functions (i.e., Blue VPN Site 40, Green VPN Site 50, Blue VPN Site 53, and Green VPN Site 55).

5. Finally regarding claim 20, Applicant argues the limitation related to the “VPN media proxy having an IP address translator...”

The Examiner respectfully disagrees. Page 4, lines 10-20, of the Applicant’s specification describes “the media proxy 42 patches together the VoIP flow coming from the enterprise media gateway and the trunk gateway, as instructed by the call server 44 by learning the translated IP address from VoIP packets sent to it.”

***Claim Rejections – Admitted Prior Art***

6. The following is a quotation of the MPEP (2129, Admissions as Prior Art, I. ADMISSIONS BY APPLICANT CONSTITUTE PRIOR ART) that forms the basis for the rejections made in this Office action:

A statement by an applicant >in the specification or made< during prosecution identifying the work of another as “prior art” is an admission “>which can be relied upon for both anticipation and obviousness determinations, regardless of whether the admitted prior art

would otherwise qualify as prior art under the statutory categories of 35 U.S.C. 102.

7. Claims 20-27, 29-31, 33-40, 42-43, and 45-47 are rejected under the above-cited section of the MPEP as being anticipated by admitted prior art (APA).

8. As to claim 20, APA discloses a communication system (Fig. 2) comprising:  
a plurality of virtual private networks 'VPNs' interconnected by a first data network (Fig. 1-2; Pg. 3, ln. 2-4, 7-9, and 31-35);

a second data network connected to the plurality of VPNs via the first data network (Fig. 2; Pg. 3, ln. 35 – Pg. 4, ln. 1),

the second data network using an Internet Protocol 'IP' network addressing scheme that uses different IP addresses to a private IP network addressing scheme used by at least one of said plurality of VPNs (Fig. 2; Pg. 4, ln. 4-8); and

a VPN gateway having a VPN media proxy directly interfacing the first data network and the second data network thereby connecting the second data network to the plurality of VPNs via the first data network (Fig. 2; Pg. 3, ln. 25-27),

the VPN gateway being shared by said plurality of VPNs and providing a plurality of virtual routing functions (Fig. 2),

respective ones of said plurality of virtual routing functions being connected to respective ones of said plurality of VPNs such that each virtual routing function has an

address in a private IP address space of a respective one of said plurality of VPNs (Fig. 2; Pg. 3, ln. 4-7 and 21-23),

wherein the VPN media proxy is configured to pass call bearer packets from a source IP address in said at least one of said plurality of VPNs to a destination IP address in said second data network (Fig. 2; Pg. 3, ln. 35 – Pg. 4, ln. 1; Pg. 4, ln. 4-8),

the VPN media proxy having an IP address translator arranged to translate the destination IP address of the call bearer packets in accordance with the IP network addressing scheme of the second data network (Fig. 2; Pg. 3, ln. 35 – Pg. 4, ln. 1; Pg. 4, ln. 4-8),

and to send the call bearer packets towards the translated IP destination address in the second data network (Fig. 2; Pg. 3, ln. 35 – Pg. 4, ln. 1; Pg. 4, ln. 4-8).

9. As to claims 30, 39, and 47, the claims are rejected for reasons similar to claim 20 above.

10. As to claim 21, APA discloses the IP address translator is arranged to translate a destination IP address of call bearer packets being transmitted from a source IP address in the second data network to a destination IP address in said at least one of said plurality of VPNs

in accordance with the private IP network addressing scheme of said at least one of said plurality of VPNs (Fig. 2; Pg. 3, ln. 35 – Pg. 4, ln. 1; Pg. 4, ln. 4-8),

and to send the call bearer packets towards the translated destination IP address in said at least one of said plurality of VPNs (Fig. 2; Pg. 3, ln. 23-25; Pg. 3, ln. 35 – Pg. 4, ln. 1; Pg. 4, ln. 4-8).

11. As to claims 31 and 40, the claims are rejected for reasons similar to claim 21 above.

12. As to claim 22, APA discloses the first data network is a public data network using a public Internet Protocol 'IP' network addressing scheme (Pg. 1, ln. 16-17 and 19-21; Pg. 3, ln. 7-9),

and the second data network is a carrier data network using a private IP network addressing scheme (Fig. 2; Pg. 4, ln. 4-8).

13. As to claim 34, the claim is rejected for reasons similar to claim 22 above.

14. As to claim 23, APA discloses where more than one of the VPNs uses a private IP network addressing scheme, some of said private IP network addressing schemes have overlapping address ranges (Fig. 2; Pg. 4, ln. 4-8).

15. As to claim 35, the claim is rejected for reasons similar to claim 23 above.
16. As to claims 29, 33, and 42, the claims are rejected for reasons similar to claim 20 above.
17. As to claim 24, APA discloses the carrier data network interfaces the public data network to a switched telephone network 'STN' via a trunk gateway whose carrier data network IP address is the destination address for call bearer packets being transmitted from a source IP address in any of the VPNs to a destination IP address in the carrier data network (Fig. 2; Pg. 3, ln. 35 – Pg. 4, ln. 1; Pg. 4, ln. 4-10).
18. As to claim 36, the claim is rejected for reasons similar to claim 24 above.
19. As to claim 25, APA discloses the STN is a public STN 'PSTN' (Fig. 2, item 20, "PSTN").
20. As to claims 37 and 45, the claims are rejected for reasons similar to claim 25 above.



21. As to claims 26-27, the claims are rejected for reasons similar to claim 20 above.

Additionally, APA discloses VoIP (Pg. 3, ln. 29-31).

22. As to claim 38, the claims are rejected for reasons similar to claims 26-27 above.

23. As to claim 43, the claims are rejected for reasons similar to claims 22, 24, and 26-27 above.

24. As to claim 46, the claim is rejected for reasons similar to claims 20-21 above.

Additionally, APA discloses storing the information related to translated destination and source addresses (Fig. 2; Pg. 3, ln. 23-25; Pg. 3, ln. 35 – Pg. 4, ln. 1; Pg. 4, ln. 4-8); it is inherent that routing tables store addresses for the purposes of routing packets throughout the networks).

### ***Conclusion***

25. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Somasundaram, U.S. Publication No. 2006/0013209 A1 discloses subject matter concerning a "Service Provider Edge Box Including Router/NAT Device" (Fig. 1, item 104)

that connects a plurality of VPN customer sites (Fig. 1). In particular, paragraph [0011] of Somasundaram discloses subject matter that may cover a number of the Applicant's claims.

26. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

27. Any inquiry concerning this communication or earlier communications from the examiner should be directed to BRIAN P. WHIPPLE whose telephone number is (571)270-1244. The examiner can normally be reached on Mon-Fri (9:30 AM to 6:00 PM EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on (571) 272-3964. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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4/8/09

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